IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

WP(C).No. 35749 of 2007(E)

PETITIONER:

M/S. GOLDEN ENTERPRISES,
ADIMALI, IDUKKI DISTRICT, REPRESENTED BY
THE MANAGING PARTNER, JOSE CHERIAN.

BY ADV. SRI.C.K.THANU PILLAI

RESPONDENTS:
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1. THE INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, DEVICOLAM.

2. THE DEPUTY COMMISSIONER (APPEAL),
COMMERCIAL TAXES, ERNAKULAM.

3. THE DEPUTY TAHSILDAR,
REVENUE RECOVERY, TALUK OFFICE, DEVICOLAM.

BY GOVERNMENT PLEADER SRI.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 35749 OF 2007 E
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Dated this the 3rd day of December, 2007

J U D G M E N T

Exts. P1 to P5 are assessment orders in relation to the assessment years 02-03, 03-04 and 2004-05, against which petitioner has filed appeals and stay petitions which are Exts. P6 to P15. Similarly Ext.P16 order of assessment has been passed in respect of 2001-02, against which also appeal and stay petitions are filed as Exts. P17 and p18. In the meanwhile, by Ext.P19 revenue recovery steps have been taken and hence this writ petition.

2. Taking into account the pendency of the aforesaid stay petitions that are pending before the 2nd respondent,I dispose of this writ petition directing the 2nd respondent to consider the stay petitions filed by the petitioner and pass orders thereon within three weeks of receipt of a copy of this judgment. In the meanwhile, further proceedings pursuant to Ext.P19 revenue recovery shall be kept in abeyance for a period of four weeks from today.

Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC, JUDGE.

Rp